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Elimination of racism and racial discrimination

Report of the Third Committee

Rapporteur: Mr. Hassan Kassem **Najem** (Lebanon)

I. Introduction

1. At its 3rd plenary meeting, on 15 September 1998, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-third session the item entitled "Elimination of racism and racial discrimination" and to allocate it to the Third Committee.

2. The Third Committee considered the item jointly with item 109 at its 23rd to 26th meetings, on 23, 26 and 27 October, and took action at its 36th, 46th and 47th meetings, on 5, 13 and 16 November 1998. An account of the Committee's discussion is contained in the relevant summary records (see A/C.3/53/SR.23-26, 36, 46 and 47).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Relevant sections of the report of the Economic and Social Council for the year 1998 (A/53/3);[1]

(b) Report of the Committee on the Elimination of Racial Discrimination (A/53/18);[2]

(c) Report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination (A/53/255);

(d) Report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination (A/53/256);

(e) Report of the Secretary-General on the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination (A/53/305);

[1] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 3* (A/53/3).
[2] Ibid., *Supplement No. 18* (A/53/18).

(f) Note by the Secretary-General transmitting the report of the Special Rapporteur of the Commission on Human Rights on measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/53/269);

(g) Letter dated 9 October 1998 from the Permanent Representative of Panama to the United Nations addressed to the Secretary-General, transmitting the declarations adopted at the Twelfth Summit of Heads of State and Government of the Rio Group, held in Panama City on 4 and 5 September 1998 (A/53/489);

(h) Letter dated 10 November 1998 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/53/658-S/1998/1056);

(i) Letter dated 24 September 1998 from the Permanent Representative of Norway to the United Nations addressed to the Secretary-General (A/C.3/53/2);

(j) Letter dated 30 October 1998 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/C.3/53/11).

4. At the 23rd meeting, on 23 October, introductory statements were made by the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of people to self-determination and the Deputy to the Director, New York Office of the United Nations High Commissioner for Human Rights (see A/C.3/53/SR.23).

II. Consideration of proposals

A. Draft resolution A/C.3/53/L.18/Rev.1

5. At the 36th meeting, on 5 November, the representative of Slovenia, on behalf of *Antigua and Barbuda, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Côte d'Ivoire, Croatia, Cyprus,* the *Czech Republic, Denmark, Equatorial Guinea, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Italy, Japan, Liberia, Luxembourg, Monaco, Mongolia, Namibia,* the *Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Poland, Portugal,* the *Republic of Moldova, Romania, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia* and the *United Kingdom of Great Britain and Northern Ireland*, introduced a draft resolution entitled "International Convention on the Elimination of All Forms of Racial Discrimination" (A/C.3/53/L.18/Rev.1). Subsequently, *Cameroon, Ireland* and *Mali* joined in sponsoring the draft resolution.

6. At the 47th meeting, on 16 November, the representative of Slovenia orally revised the draft resolution by replacing operative paragraph 5, which read:

> "5. *Commends* the Committee on its continuing efforts to contribute to the effective implementation of international instruments on human rights, *inter alia*, by continuing to improve its working methods, which include the process of reviewing the implementation of the Convention in States whose reports are seriously overdue",

by the following text:

> "5. *Commends* the Committee on its continuing efforts to contribute to the effective implementation of the Convention, and notes its continuing efforts to improve its working methods".

7. At the same meeting, the Committee had before it a statement of the programme budget implications of draft resolution A/C.3/53/L.18/Rev.1, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.3/53/L.56).

8. Also at its 47th meeting, the Committee adopted the draft resolution, as orally revised, without a vote (see para. 17, draft resolution I).

9. Before the adoption of the draft resolution, statements were made by the representatives of Egypt and Algeria; after the adoption of the draft resolution, statements were made by the representatives of Turkey, the United States of America and Ecuador (see A/C.3/53/SR.47).

B. Draft resolution A/C.3/53/L.24

10. At the 36th meeting, on 5 November, the representative of Indonesia, on behalf of the States Members of the United Nations that are members of the Group of 77 and *China*, *Finland*, *France*, *Japan*, *Mexico*, *Portugal*, *Spain*, *Turkey*, and the *United Kingdom of Great Britain and Northern Ireland*, introduced a draft resolution entitled "Third Decade to Combat Racism and Racial Discrimination and the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance" (A/C.3/53/L.24). Subsequently, *Australia*, *Austria*, *Canada*, *Croatia*, *Germany*, *Greece*, *Ireland*, *Israel*, *Italy*, *Malta* and *the former Yugoslav Republic of Macedonia* joined in sponsoring the draft resolution.

11. In introducing the draft resolution, the representative of Indonesia orally revised operative paragraph 14 by replacing the words "to consider its recommendations, including the establishment of an intergovernmental working group with a mandate to draft guidelines for the ethical use of the Internet and the possible formulation of a code of conduct for the Internet users and service providers" with the words "to consider its recommendations for responsible use of the Internet".

12. At the 46th meeting, on 13 November, the Secretary of the Committee read out a statement of the programme budget implications of draft resolution A/C.3/53/L.24.

13. At the same meeting, the Committee adopted the draft resolution, as orally revised, without a vote (see para. 17, draft resolution II).

14. After the adoption of the draft resolution, a statement was made by the representative of the United States of America (see A/C.3/53/SR.46).

C. Draft resolution A/C.3/53/L.25

15. At the 36th meeting, on 5 November, the representative of Indonesia, on behalf of the States Members of the United Nations that are members of the Group of 77 and *China*, *Australia*, *Belgium*, *Finland*, *France*, *Germany*, *Greece*, *Iceland*, *Italy*, *Japan*, *Luxembourg*, *Norway*, *Portugal*, *Spain*, *Turkey* and the *United Kingdom of Great Britain and Northern Ireland*, introduced a draft resolution entitled "Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance" (A/C.3/53/L.25). Subsequently, *Austria*, *Croatia*, *Denmark*, *Ireland*, *Israel*, the *Netherlands*, *the former Yugoslav Republic of Macedonia* and *San Marino* joined in sponsoring the draft resolution.

16. At the 46th meeting, on 13 November, the Committee adopted draft resolution A/C.3/53/L.25 without a vote (see para. 17, draft resolution III).

III. Recommendations of the Third Committee

17. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,[3] most recently resolutions 51/80 of 12 December 1996 and 52/110 of 12 December 1997,

Bearing in mind the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[4] in particular section II.B of the Declaration, relating to equality, dignity and tolerance,

Reiterating the need to intensify the struggle to eliminate all forms of racial discrimination throughout the world, especially its most brutal forms,

Recalling its resolution 52/111 of 12 December 1997, by which it decided to convene a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance not later than the year 2001,

Taking note of Commission on Human Rights resolution 1998/26 of 17 April 1998 on racism, racial discrimination, xenophobia and related intolerance,[5] and of agreed conclusions 1998/2 on the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action,[6] adopted by the Economic and Social Council on 28 July 1998,

Reiterating the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Mindful of the importance of the contributions of the Committee to the effective implementation of the Convention and to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Noting that the reports submitted by States parties under the Convention contain, *inter alia*, information about the causes of, as well as measures to combat, contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Calling upon States that have not yet become parties to the Convention to ratify it or accede thereto,

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[3] Resolution 2106 A (XX), annex.

[4] A/CONF.157/24 (Part I), chap. III.

[5] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[6] See *Official Records of the General Assembly, Fifty-third Session, Supplement No. 3* (A/53/3), chap. VI, para. 3.

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Recalling its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 by the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination,[7] to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations, and reiterating its deep concern that an amendment to the Convention has not yet entered into force,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

Recalling the provisions of paragraph 4 of article 10 of the Convention regarding the location of the meetings of the Committee and the provisions of paragraph 1 of article 8 regarding the composition of the Committee,

I

Report of the Committee on the Elimination of Racial Discrimination

1. *Takes note* of the report of the Committee on the Elimination of Racial Discrimination on its fifty-second and fifty-third sessions;[8]

2. *Commends* the Committee for its work with regard to the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[1] especially the examination of reports under article 9 and action on communications under article 14 of the Convention;

3. *Calls upon* States parties to fulfil their obligation, under paragraph 1 of article 9 of the Convention, to submit their periodic reports on measures taken to implement the Convention in due time;

4. *Expresses its concern* at the fact that a great number of reports are overdue and continue to be so, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention, and encourages the United Nations Secretariat to extend technical assistance to those States whose reports are seriously overdue, upon their request, in the preparation of the reports;

5. *Commends* the Committee on its continuing efforts to contribute to the effective implementation of the Convention, and notes its continuing efforts to improve its working methods;

6. *Also commends* the Committee for its continuing contribution to the prevention of racial discrimination, and welcomes its relevant action thereon;

7. *Encourages* the Committee to continue to contribute fully to the implementation of the Third Decade to Combat Racism and Racial Discrimination and its revised Programme of Action,[9] including by continuing to collaborate with the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, as well

[7] See CERD/SP/45, annex.

[8] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 18* (A/53/18).

[9] Resolution 49/146, annex.

as by cooperating, as appropriate, with the Special Rapporteur of the Commission on contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

8. *Welcomes and encourages* the cooperation and exchange of information between the Committee and relevant structures and mechanisms of the United Nations, including the Office of the United Nations High Commissioner for Human Rights, as well as with the General Assembly and the States parties to the Convention;

9. *Takes note* of the initial suggestions made by the Committee regarding the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and invites the Committee to give high priority to the preparatory process for the World Conference, to present to the Commission on Human Rights, which will act as the preparatory committee for the Conference, its contribution to the objectives of the Conference, including the undertaking of a series of studies, and to participate actively in the preparatory process and at the Conference itself;

10. *Also takes note* of Committee decisions 7 (53) and 8 (53) of 19 August 1998[10] regarding organizational matters, authorizes the Secretary-General to extend, on a temporary basis, the Committee's summer sessions of 1999 and 2000 by five working days and decides to consider the two decisions further at its fifty-fifth session;

II

Financial situation of the Committee on the Elimination of Racial Discrimination

11. *Takes note* of the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination;[11]

12. *Expresses its profound concern* about the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under paragraph 6 of article 8 of the Convention;

13. *Strongly urges* States parties to the Convention to accelerate their domestic ratification procedures with regard to the amendment to the Convention concerning the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination on 15 January 1992,[5] endorsed by the General Assembly in its resolution 47/111 of 16 December 1992 and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

14. *Requests* the Secretary-General to continue to ensure adequate financial arrangements and appropriate means and to provide necessary support, including an adequate level of Secretariat assistance, in order to ensure the functioning of the Committee and enable it to cope with its increasing amount of work;

15. *Also requests* the Secretary-General to invite those States parties to the Convention that are in arrears to pay the amounts in arrears and to report thereon to the General Assembly at its fifty-fifth session;

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[10] See *Official Records of the General Assembly, Fifty-third Session, Supplement No. 18* (A/53/18), chap. I, sect. F, para. 14.

[11] A/53/255.

III

Status of the International Convention on the Elimination of All Forms of Racial Discrimination

16. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;[12]

17. *Expresses its satisfaction* at the number of States that have ratified the Convention or acceded thereto;

18. *Reaffirms once again* its conviction that ratification of or accession to the Convention on a universal basis and the implementation of its provisions are necessary for the realization of the objectives of the Third Decade to Combat Racism and Racial Discrimination and for action beyond the Decade;

19. *Urges* all States that have not yet become parties to the Convention to ratify it or accede thereto;

20. *Urges* States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible in order to ensure that no reservation is incompatible with the objective and purpose of the Convention or otherwise contrary to international treaty law, to review their reservations regularly with a view to withdrawing them, and to withdraw reservations that are contrary to the objective and purpose of the Convention or that are otherwise incompatible with international treaty law;

21. *Requests* States parties to the Convention that have not yet done so to consider the possibility of making the declaration provided for in article 14 of the Convention;

22. *Decides* to consider at its fifty-fifth session, under the item entitled "Elimination of racism and racial discrimination", the reports of the Committee on the Elimination of Racial Discrimination and the reports of the Secretary-General on the financial situation of the Committee and the status of the Convention.

Draft resolution II

Third Decade to Combat Racism and Racial Discrimination and the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

The General Assembly,

Reaffirming its objectives as set forth in the Charter of the United Nations of achieving international cooperation in solving problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming also its firm determination and its commitment to eradicate totally and unconditionally racism, in all its forms, and racial discrimination, and its conviction that racism and racial discrimination constitute a total negation of the purposes and principles of the Charter and the Universal Declaration of Human Rights,[13]

[12] A/53/256.

[13] Resolution 217 A (III).

Recalling the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination[14] and the Convention against Discrimination in Education, adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,[15]

Noting the efforts of the Committee on the Elimination of Racial Discrimination since its establishment in 1970 to promote the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,

Recalling the outcome of the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978[16] and in 1983,[17]

Recalling also the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action[18] to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Stressing the importance and sensitivity of the activities of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Recalling its resolutions 48/91 of 20 December 1993 and 49/146 of 23 December 1994, by which, respectively, it proclaimed the Third Decade to Combat Racism and Racial Discrimination and adopted the revised Programme of Action for the Third Decade to Combat Racism and Racial Discrimination,

Noting with grave concern, that, despite the efforts of the international community, the principal objectives of the two previous Decades for Action to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to this day to be the victims of varied forms of racism and racial discrimination,

Noting with great concern that, despite the efforts undertaken by the international community at various levels, racism, racial discrimination, xenophobia and related forms of intolerance, ethnic antagonism and acts of violence are showing signs of increase,

Recognizing both the challenges and opportunities in combating racism, racial discrimination, xenophobia and related intolerance in an increasingly globalized world,

Noting with concern that racism and racial discrimination, xenophobia and related intolerance may be aggravated by, *inter alia*, inequitable distribution of wealth, marginalization and social exclusion,

Noting also with concern that the dissemination of racist and xenophobic propaganda is also being channelled through new communication technologies, including such computer networks as the Internet,

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[14] Resolution 2106 A (XX), annex.

[15] United Nations, *Treaty Series*, vol. 429, No. 6193.

[16] See *Report of the World Conference to Combat Racism and Racial Discrimination, Geneva, 14–25 August 1978* (United Nations publication, Sales No. E.79.XIV.2).

[17] See *Report of the Second World Conference to Combat Racism and Racial Discrimination, Geneva, 1–12 August 1983* (United Nations publication, Sales No. E.83.XIV.4 and corrigendum).

[18] A/CONF.157/24 (Part I), chap. III.

Having considered the report submitted by the Secretary-General[19] within the framework of the implementation of the Programme of Action,

Firmly convinced of the need to take more effective and sustained measures at the national and international levels for the elimination of all forms of racism and racial discrimination,

Recognizing the importance of strengthening national legislation and institutions for the promotion of racial harmony and for the effective enforcement of such legislation,

Deeply concerned about the fact that the phenomenon of racism and racial discrimination against migrant workers continues to increase despite efforts undertaken by the international community to improve the protection of the human rights of migrant workers and members of their families,

Recalling the adoption at its forty-fifth session of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[20]

Acknowledging that indigenous people are at times victims of particular forms of racism and racial discrimination,

I

Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and coordination of activities

1. *Declares* that racism and racial discrimination are among the most serious violations of human rights in the contemporary world, and expresses its firm determination and its commitment to eradicate, by all available means, racism, in all its forms, and racial discrimination;

2. *Takes note* of the report of the Secretary-General on the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination,[17] and regrets that the detailed report on the financial and personnel resources required for the implementation of the Programme of Action, requested for presentation to the fifty-second and fifty-third sessions of the General Assembly, was not presented;

3. *Urges* all Governments to take all necessary measures to combat new forms of racism, in particular by constantly adapting the means provided to combat them, especially in the legislative, administrative, educational and information fields;

4. *Requests* the United Nations High Commissioner for Human Rights to accord a high priority to the follow-up to programmes and activities for combating racism and racial discrimination consistent with the need to ensure the effective preparation of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

5. *Requests* the Secretary-General to continue to accord special attention to the situation of migrant workers and members of their families and to include regularly in his reports all information on such workers;

6. *Calls upon* all Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as a matter of priority;

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[19] A/53/305.

[20] Resolution 45/158, annex.

7. *Commends* all States that have ratified or acceded to the international instruments to combat racism and racial discrimination, especially the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Discrimination in Education;

8. *Urges* States to limit the extent of any reservation they lodge to the International Convention on the Elimination of All Forms of Racial Discrimination, to formulate any reservation as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the objective and purpose of the Convention or otherwise contrary to international treaty law, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the objective and purpose of the Convention or that are otherwise incompatible with international treaty law;

9. *Encourages* the mass media to promote ideas of non-discrimination, respect, tolerance and understanding among peoples and between different cultures;

10. *Affirms* its determination to combat violence stemming from intolerance on the basis of ethnicity, which it considers an issue of particular gravity;

11. *Requests* the Secretary-General to continue the study on the effects of racial discrimination on the children of minorities and those of migrant workers in the fields of education, training and employment and to submit, *inter alia*, specific recommendations for the implementation of measures to combat the effects of that discrimination;

12. *Regrets* the continued lack of interest, support and financial resources for the Third Decade and its related Programme of Action, reflected in the fact that very few of the activities planned for the period 1994–1998 were carried out;

13. *Also regrets* that the contributions made by the international community to the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination remain below the level required, and once again requests the Secretary-General to include in his report to the General Assembly at its fifty-fourth session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action, including through the United Nations regular budget and extrabudgetary sources;

14. *Welcomes* the convening, at Geneva from 10 to 14 November 1997, of a seminar on the role of the Internet with regard to the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, and invites the Commission on Human Rights to consider its recommendations for responsible use of the Internet;

15. *Recalls* its repeated appeals and those of the Economic and Social Council for the establishment of a mechanism within the Office of the United Nations High Commissioner for Human Rights to serve as a focal point for coordinating all the activities of the Third Decade, welcomes the formation of a Racism Project Team, and requests the High Commissioner to continue to work towards full establishment of such a mechanism;

16. *Urges* the Secretary-General, United Nations bodies, the specialized agencies, all Governments, intergovernmental organizations and relevant non-governmental organizations, in implementing the Programme of Action, to pay particular attention to the situation of indigenous people;

17. *Requests* States and international organizations to consider the relevant decisions of the Economic and Social Council on the integrated follow-up to previous world conferences and the need to make optimum use of all available mechanisms in the struggle against racism;

18. *Strongly underlines* the importance of education as a significant means of preventing and eradicating racism and racial discrimination and of creating an awareness of principles of human rights, particularly among young people, and, in this regard, renews its invitation to the United Nations Educational, Scientific and Cultural Organization to expedite the preparation of teaching materials and teaching aids to promote teaching, training and educational activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

19. *Considers* that all parts of the Programme of Action should be given equal attention in order to attain the objectives of the Third Decade;

20. *Commends* the efforts by donors that have made contributions to the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, but notes that these contributions are not sufficient to meet the objectives of the Decade;

21. *Requests* the Secretary-General to accord high priority to the activities of the Programme of Action, and, in this regard, also requests the Secretary-General to ensure that the necessary financial resources are provided for the implementation of the activities of the Third Decade during the biennium 1998–1999;

22. *Also requests* the Secretary-General, while programming the regular budget for the biennium 2000–2001, to make provision for financing the activities of the Programme of Action from the United Nations regular budget as a vital contribution to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

23. *Further requests* the Secretary-General to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies, containing an analysis of information received on such activities to combat racism and racial discrimination;

24. *Invites* the Secretary-General to submit proposals to the General Assembly with a view to supplementing, if necessary, the Programme of Action;

25. *Warmly calls upon* all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, regional organizations and interested non-governmental organizations to contribute fully to the effective implementation of the Programme of Action;

26. *Strongly appeals* to all Governments, intergovernmental and non-governmental organizations and individuals in a position to do so, to contribute generously to the Trust Fund, and, to this end, requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

II

World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

27. *Reaffirms* the decisions adopted in its resolution 52/111 of 12 December 1997 related to the convening, the definition of objectives and the guidelines for the preparatory process of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

28. *Takes note* of Commission on Human Rights resolution 1998/26 of 17 April 1998,[21] in which the Commission decided to create an open-ended working group of the Commission to meet during its fifty-fifth session in order to review and formulate proposals for consideration by the Commission and possible forwarding to the Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance at its first session;

29. *Requests* the Secretary-General:

(a) To present a comprehensive report to both the fifty-fourth and fifty-fifth sessions of the General Assembly on the progress achieved in the preparatory process of the World Conference;

(b) To submit to the fifty-sixth session of the General Assembly a report encompassing the final outcome of the World Conference;

(c) To designate the United Nations High Commissioner for Human Rights as Secretary-General of the World Conference, who, in that capacity, will assume the main responsibility for the preparations for the Conference;

(d) To consider providing necessary financial and technical assistance for the convening of regional preparatory meetings;

30. *Requests* the United Nations High Commissioner for Human Rights:

(a) To carry out consultations with States aimed at determining the date and venue for the Conference and to report to the Commission on Human Rights at its fifty-fifth session on the results thereof;

(b) To continue to devise and implement, with the Department of Public Information of the Secretariat, a world information campaign aimed at sensitizing world public opinion to the importance and objectives of the World Conference, to publish in all the official languages of the United Nations, an information pamphlet to be made available to non-governmental organizations, the media and the general public, and to inform the Preparatory Committee of developments in this regard;

31. *Requests* the Commission on Human Rights to present, through the Economic and Social Council, before the end of the fifty-third session of the General Assembly, a concrete proposal on the date and venue of the World Conference;

32. *Invites* States and regional organizations to set up at the national or regional level a coordination structure responsible for launching and promoting preparations for the World Conference, and especially for sensitizing national public opinion to the importance and objectives of the World Conference;

33. *Urges* the High Commissioner for Human Rights to help States, upon request, and regional organizations to convene national and regional meetings or to undertake other initiatives, including at the expert level, to prepare for the World Conference;

34. *Requests* the regional preparatory meetings to present to the Preparatory Committee, through the High Commissioner, reports on the results of their deliberations, with concrete and pragmatic recommendations aimed at combating racism, racial discrimination, xenophobia and related intolerance, which will be duly reflected in texts of the draft final documents of the World Conference, to be prepared by the Preparatory Committee;

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[21] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

35. *Requests*, in accordance with Commission on Human Rights resolution 1998/26 Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations, non-governmental organizations, the Committee on the Elimination of Racial Discrimination, the Subcommission on Prevention of Discrimination and Protection of Minorities, the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and other human rights mechanisms to participate actively both in the preparatory process of the World Conference, including by assisting the Preparatory Committee, again in accordance with Commission on Human Rights resolution 1998/26, by, *inter alia*, undertaking reviews and studies and submitting recommendations concerning the World Conference and the preparations therefor, through the Secretary-General, to the Preparatory Committee, and in the World Conference itself;

36. *Stresses* the importance of systematically taking a gender perspective into account throughout the preparations for, and in the outcome of, the World Conference;

III

Proclamation of the year 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance

37. *Decides* to observe the year 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance, aimed at drawing the world's attention to the objectives of the World Conference and giving new momentum to the political commitment to the elimination of all forms of racism, racial discrimination, xenophobia and related intolerance;

IV

General

38. *Also decides* to keep the item entitled "Elimination of racism and racial discrimination" in its agenda and to consider it as a matter of high priority at its fifty-fourth session.

Draft resolution III

Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Recalling its resolution 52/109 of 12 December 1997, and taking note of Commission on Human Rights resolution 1998/26 of 17 April 1998,[22]

Bearing in mind the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, in particular the attention given in the Vienna Declaration and Programme of Action[23] to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

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[22] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[23] A/CONF.157/24 (Part I), chap. III.

Aware that racism, as one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

Having examined the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[24] including its conclusions and recommendations,

Deeply concerned that, despite continued efforts, racism, racial discrimination, xenophobia and related intolerance, as well as acts of violence, persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

Deeply concerned also that those advocating racism and racial discrimination misuse new communication technologies, including the Internet, to disseminate their repugnant views,

Noting that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance,

Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance that are increasingly visible in segments of many societies and are perpetrated by individuals or groups, some of which manifestations are directed against migrant workers and members of their families,

Reaffirming, in this regard, the responsibility of Governments for safeguarding and protecting the rights of individuals residing in their territory against racist or xenophobic crimes perpetrated by individuals or groups,

Noting that the Committee on the Elimination of Racial Discrimination, in its general recommendation XV (42) of 17 March 1993[25] on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination,[26] holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights[27] and in article 5 of the Convention,

Noting also that the reports that the States parties submit under the Convention contain, *inter alia*, information about the causes of, as well as measures to combat, contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Conscious that impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and tends to encourage the recurrence of such crimes,

Particularly alarmed at the rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large,

Noting that the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance will continue to pay attention to the rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large,

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[24] A/53/269.

[25] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 18* (A/48/18), chap. VIII, sect. B.

[26] Resolution 2106 A (XX).

[27] Resolution 217 A (III).

Emphasizing the importance of creating conditions that foster greater harmony and tolerance within societies,

1. *Takes note with appreciation* of the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[22] and expresses its support for the continuation of his work;

2. *Requests* the Special Rapporteur to continue his exchange of views with Member States, relevant mechanisms, related United Nations organs and the specialized agencies in order to further their effectiveness and mutual cooperation;

3. *Commends* the Committee on the Elimination of Racial Discrimination for its contribution to the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[24] which contributes to the fight against contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

4. *Affirms* that acts of racist violence against others stemming from racism do not comprise expressions of opinion but rather offences;

5. *Declares* that racism and racial discrimination are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

6. *Expresses its profound concern about and unequivocal condemnation* of all forms of racism and racial discrimination, in particular all racist violence, and related acts of random and indiscriminate violence;

7. *Also expresses its profound concern about and unequivocal condemnation* of all forms of racism and racial discrimination, including propaganda, activities and organizations based on doctrines of superiority of one race or group of persons that attempt to justify or promote racism and racial discrimination in any form;

8. *Expresses its profound concern about and condemnation* of manifestations of racism, racial discrimination, xenophobia and related intolerance against migrant workers and members of their families, persons belonging to minorities and members of vulnerable groups in many societies;

9. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of, and tolerance and respect for, foreign cultures, peoples and countries;

10. *Recognizes* that the increasing gravity of different manifestations of racism, racial discrimination and xenophobia in various parts of the world requires a more integrated and effective approach on the part of the relevant mechanisms of United Nations human rights machinery;

11. *Encourages* Governments to take appropriate measures to eradicate all forms of racism, racial discrimination, xenophobia and related intolerance;

12. *Calls upon* all States to review and, where necessary, revise their immigration policies with a view to eliminating all discriminatory policies and practices against migrants which are inconsistent with relevant international human rights instruments;

13. *Categorically deplores* the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred;

14. *Recognizes* that Governments should implement and enforce appropriate and effective legislation to prevent acts of racism, racial discrimination, xenophobia and related intolerance;

15. *Calls upon* all Governments and intergovernmental organizations, with the assistance of non-governmental organizations, as appropriate, to supply relevant information to the Special Rapporteur to enable him to fulfil his mandate;

16. *Commends* non-governmental organizations for the action that they have taken against racism and racial discrimination and for the continuous support and assistance that they have provided to the victims of racism and racial discrimination;

17. *Urges* all Governments to cooperate fully with the Special Rapporteur, with a view to enabling him to fulfil his mandate, including to examine incidents of contemporary forms of racism and racial discrimination, *inter alia*, against blacks, Arabs and Muslims, xenophobia, Negrophobia, anti-Semitism and related intolerance;

18. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit an interim report to the General Assembly at its fifty-fourth session.